

## ORDINANCE NO. 2013.44

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE CITY OF TEMPE ZONING MAP, PURSUANT TO THE PROVISIONS OF ZONING AND DEVELOPMENT CODE PART 2, CHAPTER 1, SECTION 2-106 AND 2-107, RELATING TO THE LOCATION AND BOUNDARIES OF DISTRICTS.

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NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

**Section 1.** That the City of Tempe Zoning Map is hereby amended, pursuant to the provisions of Zoning and Development Code, Part 2, Chapter 1, Sections 2-106 and 2-107, by removing the below described property from the R1-6, Single-Family Residential District and designating it as R1-PAD, Single-Family Residential Planned Area Development District on 13,782 square feet.

### LEGAL DESCRIPTION

#### PARCEL 1

A parcel of land being a portion of the northeast quarter of the northeast quarter of Section 23, Township 1 North Range 4 east of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Beginning at the northwest corner of Lot 5, B-H Homes, as recorded in Book 76 of Maps, Page 2, Record of Maricopa County Recorder;

Thence north 00 degrees 07 minutes 00 seconds East along the northerly prolongation of the east alley right of way as shown on said B-H Homes, 46.29 feet to the south right of way of 8<sup>th</sup> Street;

Thence north 89 degrees 27 minutes 00 seconds east along said right of way, 142.30 feet;

Thence departing said south right of way, south 00 degrees 20 minutes 00 seconds east along the prolongation of the west right of way of Una Avenue as shown on said plat, 48.03 feet to the northeast corner of said Lot 5;

Thence departing said prolongation of said west right of way, north 89 degrees 51 minutes 00 seconds along the north line of said Lot 5, 142.67 feet to the Point of Beginning.

PARCEL 2

A parcel of land being a portion of the northeast quarter of the northeast quarter of Section 23, Township 1 North Range 4 east of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

All that property deeded to the City of Tempe in that Quit Claim Deed recorded in Book 3361, Page 157, Maricopa County Recorder's Office, Arizona.

TOTAL AREA IS 0.316 GROSS ACRES.

**Section 2.** Further, those conditions of approval imposed by the City Council as part of **Case # ZON13006 and PAD13008** are hereby expressly incorporated into and adopted as part of this ordinance by this reference.

**Section 3.** Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

**PASSED AND ADOPTED** BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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Mark W. Mitchell, Mayor

ATTEST:

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Brigitta M. Kuiper, City Clerk

APPROVED AS TO FORM:

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Judith R. Baumann, City Attorney